

APPLICANTS: Edgar, et al.

SERIAL NUMBER: 10/728,340

REMARKS

Claims 1-17 are pending. Claims 1, 3, 4, 5, 6, 13, 16 and 17 have been amended.

Claims 7-12 have been cancelled. Claims 18-20 are new. Support for the amendments to claim 1 can be found in the specification as originally filed, *e.g.*, on page 33, lines 25-28, and on page 50, lines 12-14. Support for the amendments to claims 3, 4, 5, 6, 13, and 16 can be found in claims as originally filed. Support for the amendment to claim 17 can be found in original claim 1, and on page 33, lines 25-28, and page 50, lines 12-14 of the specification as filed. Support for new claims 18 and 19 can be found in original claim 1, and on page 33, lines 29-30, and page 50, line 16 of the specification as filed. Support for new claim 20 can be found in original claim 17, and on page 33, lines 29-30, and page 50, line 16 of the specification as filed. Accordingly, no new matter has been added by these amendments. Applicants reserve the right to pursue canceled subject matter in subsequent applications.

Abstract of the Disclosure

The Examiner has reminded Applicants of the proper content of an Abstract of the Disclosure and asserts that revision of the Abstract to include the structure of compounds is required. Accordingly, Applicants submit herein an amended Abstract of the Disclosure, which includes reference to the structure of the compounds and the nature of their use. With this amendment, Applicants submit that the abstract is now proper.

35 U.S.C. 103(a)

The Examiner has rejected claims 1-12 under 35 U.S.C. 103(a) as being unpatentable over Ito et al. U.S. 5,095,022 (“Ito”). The Examiner has objected to claims 13-17 as being dependent upon a rejected base claim but has indicated that they “would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims” and that “the substitution of the alkylene spacer by cyclic substituent or heteroatom has

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not been disclosed or fairly suggested by the art of the record" (Office Action page 3, paragraph 4).

Claims 7-12 have been canceled, therefore the rejection is no longer applicable to these claims. Applicants have amended claim 1 herein to require that the alkylene spacer is substituted by a heteroatom or cyclic substituent. Ito does not teach or suggest such compounds. Therefore, the rejection is moot and should be withdrawn.

Claims 13-17 were objected to as being dependent upon rejected base claims. The amendments presented herein obviate the rejections of the base claims. Therefore, the objections are rendered moot and should be withdrawn.

New claims 18-20 specify that the alkylene spacer is substituted with a cyclic substituent, e.g., a cyclopropyl group. Applicants believe these claims are allowable.

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CONCLUSION

On the basis of the foregoing amendments and remarks, Applicants respectfully submit that the pending claims are in condition for allowance.

Applicants submit herewith a Petition for Three Month Extension of Time and the appropriate extension fee. Please charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 20712-501 CON.

Respectfully submitted,

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